



125 BROAD STREET, NEW YORK, NY 10004 TEL 212 471-8500 FAX 212 344-3333 WWW.HERZFELD-RUBIN.COM

Michael R. Rudick
Direct Line: (212) 471-8473
mrudick@herzfeld-rubin.com

August 10, 2015

Via ECF

The Honorable Paul E. Davison
United States Magistrate Judge
Southern District of New York
300 Quarropas Street, Courtroom 620
White Plains, New York 10601-4150

Re: Goldstein, et al. v. Solucorp, et al., Case No. 7:11-cv-06227 (VLB)

Dear Judge Davison:

We represent plaintiffs in the above-reference action. By Court Order dated August 3, 2015, plaintiffs were directed to provide this Court with a status update of this matter and the ongoing settlement discussions that were discussed at the May 8, 2015 conference held in this case.

With regard to defendant Michael Reidel, plaintiffs have reached a settlement in principle and are presently working to finalize a settlement agreement. Plaintiffs, despite considerable effort, have been unable to reach an acceptable agreement with any other defendant at this time but settlement negotiations remain ongoing. Plaintiffs are not optimistic that discussions with the other defendants will prove fruitful. Accordingly, plaintiffs are prepared to move forward to trial in this action against all defendants except Mr. Reidel. Since discovery in this matter closed on April 30, 2015, plaintiffs would like to schedule the trial as soon as possible. A conference before Judge Vincent L. Briccetti is presently scheduled for September 2, 2015 at 11:00 a.m.

Plaintiffs were likewise advised by this Court that they should endeavor to file a response to defendant Richard Greene's July 30, 2015 letter-request for summary relief (*see* ECF #187) on the previously-set August 10, 2015 opposition deadline, in light of the brevity of the submission and the fact that no other party has moved for summary relief.

Plaintiffs respectfully note that defendant Tyberg has likewise filed a letter in this action requesting summary relief. (*See* ECF # 184). And while plaintiffs are of the opinion that these unsupported, one-page "letter-motions" are facially and procedurally inadequate to support the

AFFILIATES

LIVINGSTON, NEW JERSEY

LOS ANGELES, CALIFORNIA

GARDEN CITY, NEW YORK

BUCHAREST, ROMANIA

YANGON, MYANMAR



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drastic relief requested therein,¹ we have prepared formal opposition to these “letter-motions,” to accompany this letter, as instructed by this Court.

Respectfully submitted,

HERZFELD & RUBIN, P.C.

/s/ Michael R. Rudick

Michael R. Rudick, Esq. (MR-1785)
HERZFELD & RUBIN, P.C.
Attorneys for Plaintiffs
125 Broad Street
New York, New York 10004
(212) 471-8500
mrudick@herzfeld-rubin.com

cc: All Parties Via ECF

Israel Tyberg
123 Avenue J
Brooklyn, NY 11230

Richard Greene
3972 Southwest 135 Avenue
Davie, FL 33330

¹ This is especially true in light of this Court’s lengthy instruction at the May 8, 2015 conference, that all pro se defendants should familiarize themselves with the requirements of Fed. R. Civ. P. 56 should they intend to move for summary relief.